

**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT  
INVITATION FOR BID (IFB)**

**IFB NO.  
8956**

**BID OPENING: NOT LATER THAN 2:00 P.M., LOCAL TIME, TUESDAY, June 2, 2015**

**SEALED BID RESPONSES** are invited to be delivered to the District at the said hour and date for the following articles and services and under the conditions stated below. Bid response shall be submitted to either of the following addresses:

**By Special Delivery or Hand Delivery:**

**Purchasing Division  
SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT  
200 Lakeside Drive, 17<sup>th</sup> Floor  
Oakland, CA 94612-3534**

or

**By U.S. Mail**

**Purchasing Division  
SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT  
P.O. Box 12688  
Oakland, CA 94604-2688**

Refer questions to: **Regenia Robinson, Buyer Tel. No.: (510) 464-6542**  
Email: **rrobins@bart.gov**

**THIS IS NOT AN ORDER!**

**ADVERTISED DATE: May 13, 2015**

ITEM NO.	QUANTITY	UNIT	DESCRIPTION	BIDDERS USE THIS COLUMN FOR PRICING
			<b><u>TRANSIT RAIL CAR SWITCHER - A,B &amp; C CARS</u></b>	
			<b><u>ITEM TOTAL FROM PAGE 2:</u></b> The Item total is provided by the Bidder for the convenience of the District. The District will, however, recalculate the Item Total and award the Contract on the basis of the Unit Price bid. Should there be a discrepancy between the Item Total and Unit Price, Unit Price will govern.	<b><u>\$ 1,221,087.<sup>00</sup></u></b> * see exceptions in Exhibit A Not all requirements were met. <i>[initials]</i>

**Submission of a bid constitutes bidder's acceptance of the General Provisions and Special Provisions contained herein.**

**DELIVERY: BAY AREA RAPID TRANSIT  
150 Sandoval Way  
LOCATION: Hayward, CA 94544**

**F.O.B Point DESTINATION**

**Name (Print)** Philip Lochner

**Signature** *[Signature]*

**Company** Yale Chase Equipment and Services, Inc.

**Address** 2615 Pellissier Place

**City** Whittier

**State** CA **Zip Code** 90601

**Email** phill@yalechase.com

**Fax No.** 562 463 8073 **Tel. No** 562 463 8000

**Submit proposal on Bid Form.**

**DO NOT INCLUDE excise or sales taxes in price.**

# SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

ITEM NO.	QUANTITY	UNIT	DESCRIPTION	BIDDERS USE THIS COLUMN FOR PRICING	
				Unit Price	Item Total
1	3	EA.	<p>Transit Rail Car Switcher – A, B &amp; C Cars, In accordance with the attached San Francisco Bay Area Rapid Transit District Specifications for Transit Rail Car Switcher, A, B &amp; C Cars.</p> <p>Please furnish Brand and Model No.'s for:</p> <p>Transit Rail Car Switcher – A, B &amp; C Cars <u>Trackmobile Hercules</u></p> <p>Exhaust System: <u>Cummins</u></p> <p>Electronic Vehicle Monitoring System: <u>Class 1</u></p> <p>Compression Fittings For: Hydraulic System: <u>Parker</u></p> <p>Transmission: <u>John Deere Funk DF150</u></p> <p>Engine: <u>Cummins QSB 6.7</u></p> <p>Paint Color: <u>Yellow</u></p>	\$ <u>407,029.<sup>00</sup></u>	\$ <u>1,221,087.<sup>00</sup></u>

see exceptions in  
exhibit A.

Not all requirements  
were met.

*[Signature]*

Yale Chase Equipment and Services, Inc.  
(Company Name)

## **Exhibit A - BART Bid No. 8956 Exceptions**

4.1 – Electronic Monitoring – Less Geo-fencing

- Less Cellular – Alternative communication, Open unsecured WIFI

9.1 – GAWR – Trackmobile model Hercules - 20,000 per axle, sufficient for Tractive Effort requirements

15.1 – Tires size – Alternative – 12.00-20 rock mining tread

16.1.3 – Alternative – Height – 145", Width – 122" for use in rail maintenance facility only and not on mainline

16.1.6 – Rubber tire drive – Alternative – Steel wheel provides better support, braking and tractive force for rail usage and improved serviceability.

17.1.2 – Compression fittings – Alternative – O-ring face seal replaces out of date compression fitting for improved life and serviceability



# DESIGNATION OF SUBSUPPLIERS, DBEs, AND SBEs FORM

All first-tier Subsuppliers to be used must be listed on this form regardless of dollar value of each transaction.

To assist the District in evaluating DBE and SBE participation, Bidder shall list on this form the name and address of all first-tier Subsuppliers to whom Bidder proposes to subcontract. Bidder shall indicate description, and total dollar amount of the portions of the work or services subcontracted.

In the columns provided for DBE and for SBE designation, indicate if the Subcontractor listed is a DBE and/or an SBE as defined in the Special Provision B.

Attach additional copies of this form if more space is needed and paginate the forms (i.e., Page \_\_ of \_\_).

Name and Address	DBE (Check if DBE) and Insert DBE Cert. No.	SBE (Check if SBE) and Insert SBE Cert. No.	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
<b>I. All first-tier Subsuppliers (DBEs, Non-DBEs, and SBEs).</b>				
Name: _____ _____ Address: _____ _____ Phone Number: _____	DBE Cert. No. _____	SBE Cert. No. _____		
Name: _____ _____ Address _____ _____ Phone Number: _____	DBE Cert. No. _____	SBE Cert. No. _____		
Name: _____ _____ Address _____ _____ Phone Number: _____	DBE Cert. No. _____	SBE Cert. No. _____		

Name and Address	DBE (Check if DBE) and Insert DBE Cert. No.	SBE (Check if SBE) and Insert SBE Cert. No.	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
<b>II. Subsuppliers who are: Manufacturers (100% credit).</b>				
Name: _____ _____  Address: _____ _____ _____  Phone Number: _____	DBE Cert. No. _____	SBE Cert. No. _____		
Name: _____ _____  Address: _____ _____ _____  Phone Number: _____	DBE Cert. No. _____	SBE Cert. No. _____		
Name: _____ _____  Address: _____ _____ _____  Phone Number: _____	DBE Cert. No. _____	SBE Cert. No. _____		
Name: _____ _____  Address: _____ _____ _____  Phone Number: _____	DBE Cert. No. _____	SBE Cert. No. _____		

Name and Address	DBE (Check if DBE) and Insert DBE Cert. No.	SBE (Check if SBE) and Insert SBE Cert. No.	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
<b>III. Subsuppliers who are Regular Dealers: (If DBE or SBE Regular Dealers (60% credit). See Special Provision B 1.1.3 D.3 for definition of Regular Dealer).</b>				
Name: _____ _____  Address: _____ _____ _____  Phone Number: _____	<b>DBE Cert.</b> <b>No. _____</b>	<b>SBE Cert.</b> <b>No. _____</b>		
Name: _____ _____  Address: _____ _____ _____  Phone Number: _____	<b>DBE Cert.</b> <b>No. _____</b>	<b>SBE Cert.</b> <b>No. _____</b>		
Name: _____ _____  Address: _____ _____ _____  Phone Number: _____	<b>DBE Cert.</b> <b>No. _____</b>	<b>SBE Cert.</b> <b>No. _____</b>		



Name and Address	DBE (Check if DBE) and Insert DBE Cert. No.	SBE (Check if SBE) and Insert SBE Cert. No.	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
<b>III. Subsuppliers who are Regular Dealers: (If DBE or SBE Regular Dealers (60% credit). See Special Provision B 1.1.3 D.3 for definition of Regular Dealer).</b>				
Name: _____ _____  Address: _____ _____ _____  Phone Number: _____	DBE Cert. No. _____	SBE Cert. No. _____		
Name: _____ _____  Address: _____ _____ _____  Phone Number: _____	DBE Cert. No. _____	SBE Cert. No. _____		
Name: _____ _____  Address: _____ _____ _____  Phone Number: _____	DBE Cert. No. _____	SBE Cert. No. _____		

# BIDDERS DBE AND SBE QUESTIONNAIRE

Is Bidder a DBE?  
(See Special Provisions  
B 1.1.1 for definition of DBE)

\_\_\_ YES

☒ NO

CUCP Certified?

\_\_\_ YES

☒ NO

If YES, enter Certification Date: \_\_\_\_\_

Is Bidder a BART Certified SBE?  
(See Special Provisions B for definition of SBE)<sup>1</sup>

\_\_\_ YES

☒ NO

If YES, enter Certification Date: \_\_\_\_\_

Is Bidder a Joint Venture with DBE or SBE Partners?

\_\_\_ YES

☒ NO

If YES, are Joint Venture Forms attached?

\_\_\_ YES

☒ NO

Percentage (%) of DBE or SBE participation in joint venture: \_\_\_\_\_ %

<sup>1</sup> If the Bidder is a joint venture, only the portion of the total dollar value of the Contract equal to the distinct, clearly defined portion of the work that is performed solely by the DBE's or SBE's own forces can be counted toward DBE or SBE participation. If the work is not clearly delineated between the DBE and/or SBE and the joint venture partner, only the portion of the work equal to the DBE's and/or SBE's percentage ownership interest in the joint venture will be counted. See Special Provisions B 1.1.3



FAIR EMPLOYMENT PRACTICES CERTIFICATION

TO THE SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

The undersigned in submitting a Bid for performing the following work by Contract, hereby certifies that it has or will meet the standards of affirmative compliance with the Fair Employment Practices Requirements of the Contract.

**IFB No. 8956**

**TRANSIT RAIL CAR SWITCHER - A, B & C CARS**

Yale Chase Equipment and Services, Inc.  
Name of Bidder

By:   
Signature of Bidder

Philip Lechner Corporate Sales Manager  
Print Name and Title of Person Signing

2615 Pellissier Place Whittier CA 90601  
Business Address

\_\_\_\_\_  
Place of Residence

Bid Form

Page 7 of 14

## **Buy America Certification Instructions.**

**Buy America Requirements.** This Contract is subject to the "Buy America" requirements 49 USC § 5323(j), and 49 CFR Part 661, as may be amended from time to time, and applicable federal regulations. The following is a general summary of the "Buy America" provisions. It does not relieve the Bidder of the responsibility to comply with official interpretations of the cited statutes or any other governing regulation on the subject:

- A. All iron, steel and manufactured products used in this Contract must be produced in the United States unless an exception is granted by the Federal Transit Administration (FTA) or Paragraph D below applies.
- B. The Bidder whose Bid exceeds \$100,000 must execute the appropriate "Buy America" certification in the Bid Documents. Failure to do so will make the Bid non-responsive. **The two signature blocks on the Buy America Certificate(s) are mutually exclusive. Bidder shall sign only one signature block on the Certificate. Signing both signature blocks will make the Bid non-responsive.** A false certification is a criminal act in violation of 18 USC 1001.
  1. The Bidder who has submitted an incomplete "Buy America" certificate or incorrect certificate of non-compliance through inadvertent or clerical error (but not including failure to sign the certificate, submission of certificates of both compliance and non-compliance, or failure to submit any certification), may submit to the FTA Chief Counsel within ten (10) Days of Bid opening a written explanation of the circumstances surrounding the submission of the incomplete or incorrect certification in accordance with 28 USC §1746, sworn under penalty of perjury, stating that the submission resulted from inadvertent or clerical error. The Bidder will also submit evidence of intent, such as information about the origin of the product, invoices, or other working documents. The Bidder will simultaneously send a copy of this information to the District Secretary.
  2. The FTA Chief Counsel may request additional information from the Bidder, if necessary. The District may not make Contract Award until the FTA Chief Counsel issues his/her determination, except as provided in 49 CFR Part 661.15(m).
  3. Certification based on ignorance of proper application of the "Buy America" requirements is not an inadvertent or clerical error.
- C. A waiver from the "Buy America" provisions will be sought by the District from the FTA if the grounds for a waiver exist. The Bidder seeking a waiver must submit to the District a timely request in writing, which shall include the facts and justification to support the granting of the waiver. Such waiver from the "Buy America" provisions may be granted if the FTA determines that:
  1. Their application would be inconsistent with the public interest;
  2. Materials are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or
  3. Inclusion of domestic material will increase the cost of the overall Contract by more than 25 percent.

- D. In the case of the procurement of rolling stock (including train control, communication and traction power equipment), Paragraph A above does not apply if the cost of components which are produced in the United States is more than 60 percent of the cost of all components and final assembly takes place in the United States.
- E. Any party may petition the FTA to investigate a successful Bidder's compliance with the "Buy America" certification. The procedures are set out in 49 CFR Part 661.15. If the FTA determines the evidence indicates noncompliance, the FTA will require the District to initiate an investigation. The successful Bidder has the burden of proof to establish compliance with its certification. If the successful Bidder fails to so demonstrate compliance, the successful Bidder will be required to substitute sufficient domestic materials without revision of the original Contract terms. Failure to do so will be a breach of the Contract and may lead to the initiation of debarment proceedings under 49 CFR Part 29."



## BUY AMERICA CERTIFICATE

Certification requirement for procurement of buses, other rolling stock and associated equipment.

(Submit with Bid)

(Bidder's attention is directed to Special Provision A. This Buy America Certificate shall be executed by Bidder whose Bid exceeds \$100,000 and submitted with the Bid. Failure to do so will make the Bid non-responsive.)

**NOTE: The two signature blocks below are mutually exclusive; Bidder shall sign only one signature block for either the Certificate of Compliance or the Certificate of non-Compliance. Signing both signature blocks shall make the Bid non-responsive.**

### Certificate of Compliance With 49 USC § 5323(j)(2)(C)

The Bidder hereby certifies that it will comply with the requirements of 49 USC § 5323(j)(2)(C), and the applicable regulations in 49 CFR Part 661.

Date

6/1/2015

Signature

*[Handwritten Signature]*

Company Name

Trackmobile LLC

Title

Chief Financial Officer



**WARNING!!! BIDDER SHALL SIGN ONLY ONE CERTIFICATE - EITHER THE CERTIFICATE OF COMPLIANCE ABOVE OR THE CERTIFICATE OF NON-COMPLIANCE BELOW. SIGNING BOTH CERTIFICATES SHALL MAKE THE BID NON-RESPONSIVE.**

### Certificate of Non-Compliance With 49 USC § 5323(j)(2)(C)

The Bidder hereby certifies that it cannot comply with the requirements of 49 USC § 5323(j)(2)(C), but it may qualify for an exception to the requirements pursuant to 49 USC § 5323(j)(2)(B) or (j)(2)(D) and applicable regulations in 49 CFR Part 661.7.

Date

Signature

Company Name

Title

IFB 8956



**CERTIFICATION REGARDING DEBARMENT, SUSPENSION,  
INELIGIBILITY AND VOLUNTARY EXCLUSION -  
LOWER TIER COVERED TRANSACTIONS**  
Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Orders 12549 and 12689. You may contact the District's Procurement Department, email [rrobins@Bart.gov](mailto:rrobins@Bart.gov), for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is disbarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List by contacting the District's Procurement Department, email [rrobins@Bart.gov](mailto:rrobins@Bart.gov), for assistance.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

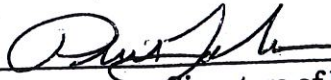


CERTIFICATION REGARDING DEBARMENT, SUSPENSION,  
INELIGIBILITY AND VOLUNTARY EXCLUSION -  
LOWER TIER COVERED TRANSACTIONS

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Date: 10/1/15

Yale Chase Equipment and Services, Inc.  
Name of Proposer

By:   
Signature of Proposer

Philip Lochner Corporate Sales Manager  
Print Name and Title of Person Signing

**INDICATION OF HOW PROSPECTIVE BIDDER FOUND OUT ABOUT THIS REQUEST FOR INVITATION FOR BID**

Please indicated how you found out about this Invitation for Bid (check all that apply)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
✓  
\_\_\_\_\_  
Through newspaper advertisement  
Through BART website  
Through advance notice to Prospective Bidder  
Other (sent to us by the  
manufactures)

Prospective Bidder:

\_\_\_\_\_  
Yale Chase Equipment and Services, Inc.  
\_\_\_\_\_

Business Address:

\_\_\_\_\_  
2615 Pellissier Place  
\_\_\_\_\_  
Whittier CA 90601  
\_\_\_\_\_

Point of Contact:

\_\_\_\_\_  
Philip Lochner  
\_\_\_\_\_

\_\_\_\_\_  
Tony York  
\_\_\_\_\_

Telephone No:

\_\_\_\_\_  
562-463-8000  
\_\_\_\_\_